

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIME WARNER ENTERTAINMENT-
ADVANCE/NEWHOUSE PARTNERSHIP,

Plaintiff,

v.

HYBRID PATENTS INCORPORATED,

Defendant

No. 06-7946 MMC

**ORDER DIRECTING PLAINTIFF TO
SHOW CAUSE WHY ACTION SHOULD
NOT BE DISMISSED FOR FAILURE TO
SERVE**

"If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or its own initiative, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified period" Fed. R. Civ. P. 4(m).

On December 29, 2006, plaintiff filed the instant action. To date, plaintiff has not filed proof of service of the summons and complaint upon defendant. Pursuant to Rule 4(m), plaintiff is hereby ORDERED TO SHOW CAUSE, in writing and no later than February 19, 2008, why the instant action should not be dismissed for failure to serve within the time required by Rule 4(m).

IT IS SO ORDERED.

Dated: February 6, 2008


MAXINE M. CHESNEY
United States District Judge